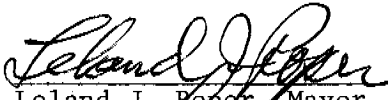


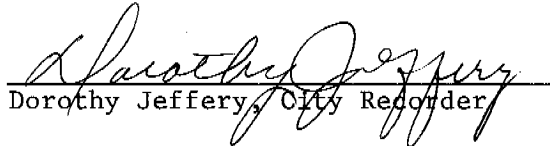
LEGAL OPINIONS FROM CITY ATTORNEY'S OFFICE AT REQUEST OF PUBLIC

At the October 27th council meeting the council directed Attorney Peterson to submit a memorandum regarding preparation of legal opinions interpreting the Delta City ordinances at the request of members of the public.

The memorandum was presented to council by Attorney Peterson and after receiving the document Councilman Bennett MOVED the policy recommended by the city attorney be adopted by the Council, motion was SECONDED by councilman Bird and received the unanimous affirmative vote of all councilmen present. The aforementioned document is on file in the office of the city recorder.

Mayor Roper asked if there was any further comments or suggestions, there being none a MOTION to adjourn the meeting was made by Councilman Losee, SECONDED by Councilman Bird, meeting adjourned at 10:35 p.m.


Leland J. Roper, Mayor


Dorothy Jeffery, City Recorder

MINUTES OF A REGULAR COUNCIL MEETING HELD NOVEMBER 10, 1980

PRESENT:

Leland J. Roper
Don Bird
Max Bennett
Willis Morrison
Cecil Losee

Mayor and Presiding
Councilman
Councilman
Councilman
Councilman

ABSENT:

Thomas Callister

Councilman

OTHERS PRESENT:

Neil Forster
Dorothy Jeffery
Warren Peterson
Roger Stowell

City Superintendent
City Recorder
City Attorney
IPP Representative

Tom Lovell
Linda Nielson
Jack Reid
Mr. and Mrs. Paul Viers
Mr. and Mrs. Richard Viers
Mr. and Mrs. Harvey Rowlette
DeLanto Church
Robert Terry
James Robson
Mark Jacobs
Lynn Robins
Suzette M. Robins

City Resident
City Resident
City Resident
City Residents
City Residents
City Residents
City Residents
City Resident
County Resident
City Resident
Contractor
Lynn's Tires
Lynn's Tires

Mayor Roper being present called the meeting to order at 7:00 p.m.
Dorothy Jeffery being present acted as secretary.

The Mayor stated the meeting was a regularly called council meeting and that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided the Millard County Chronicle, the Millard County Gazette and the local radio station KNAK and to each member of the governing body by mailing of the Notice and Agenda two (2) days before to each of them.

MINUTES

Proposed minutes of a Public Hearing held November 03, 1980 were presented for councils consideration for approval, after the council had read the minutes a MOTION was made by Councilman Bennett to approve the minutes as presented, motion SECONDED by Councilman Bird and received the unanimous affirmative vote of all the councilmen present.

The proposed minutes of a Regular Council meeting held November 03, 1980 were presented for approval, Councilman Morrison MOVED the minutes be approved as presented, SECONDED by Councilman Bird and received the unanimous affirmative vote of all councilmen present.

The first item on the agenda for the meeting was a presentation by Roger Stowell of a map with the proposed units to be included in the preapplication for the 1981 HUD Program.

There was a general discussion of sidewalk, curb and gutter -sewer extensions and hook-ups as well as the number of units for rehabilitation.

Mr. Stowell presented each councilman for their review and consideration of approval, a copy of the preapplication for the 1981 HUD Program, a copy of the proposed Citizen Participation Plan and a copy of the Resolution NO. 80-15, A Resolution Ratifying, Adopting and Approving a Small Cities Block Grant Program Preapplication to the Department of Housing and Urban Development for the City of Delta Utah, for Council's approval for adoption.

Following a general discussion of the above items Councilman Bennett MOVED the Council approve the Preapplication as it is written, the Citizen Participatpion Plan and the adoption of Resolution Number 80-15, MOTION SECONDED by Councilman Losee and the voting was as follows:

Councilman Max Bennett	Yea
Councilman Willis Morrison	Yea
Councilman Don Bird	Yea
Councilman Cecil Losee	Yea

Councilman Thomas Callister - Absent -

The Resolution No. 80-15 was then signed by the Mayor of Delta City, Leland J. Roper in open meeting and accepted by the City Recorder, Dorothy Jeffery as part of the official records of the City of Delta.

CLASS C ROAD FUNDS QUARTERLY ALLOCATION

Mayor Roper informed council the Class C Road Funds Quarterly Allocation for Delts City have been received in the amount of \$2,269.11. These funds are obtained from one-quarter of a year's collection of a one-half cent tax on gasoline and vehicle registration fees.

A AND R PROPOSAL FOR SOLID WASTE DISPOSAL FOR DELTA CITY RESIDENTS

Mr. Richard Viers informed council of the following proposed monthly charges for commercial users:

Less than 2 Cu. Yds.	\$5.00 1 PU
2 Cu Yds	15.00 1 PU
4 Cu Yds	25.00 1 PU
6 Cu Yds	30.00 2 PU
8 Cu Yds	40.00 2 PU

The above rates are basic, no modifications for shared use have been made.

After presenting a copy of the commercial fee schedule Mr. Viers explained to council he had been told there was some misunderstading on the proposed fee's to be charged by A and R Service and they wanted to clarify the amounts to be charged.

The Following petition with 190 signatures was presented to the council for thier review:

A and R Sanitation Serivice

PROPOSAL TO DELTA CITY

As a means for Delta City to comply with solid waste disposal requirements, we propose that the City of Delta establish a municipal solid waste disposal service to control the dumping and waste created by business and residential users in this area.

We propose that the City contract with a private company to provide that major part of the solid waste disposal program.

Charges for the service would be levied on a maximum base rate of five dollars (\$5.00) per month for residential users and a maximum of forty dollars (\$40.00) per month for commercial users. Residential users living on a fixed income such as social security would receive a discount of twenty-five percent (25%). The basic charge of forty dollars (\$40.00) per month would be variable for the smaller business that would not require as much service.

Commercial users would be provided with dumpsters for convenience. These dumpsters would be provided at no extra cost, on a shared basis. Any commercial user requiring a dumpster for their sole use would be charged an additional fifteen dollars (\$15.00) rental.

The base price of five dollars (\$5.00) for residential users would include four dollars (\$.00) service charge and one dollar (\$1.00) sanitation fee being paid to the City of Delta. Commercial users would pay thirty-five dollars (%35.00) service and five dollars (\$5.00) sanitation fee. This could

potentially result in an added twelve (12) to fifteen (15) hundred dollars a month in revenue for the City of Delta.

This would be billed to the customer with the monthly water/sewer billing from Delta City, the A and R Sanitation Company paying an additional three percent (3%) of the gross of our fees for the billing services done by Delta City.

YOUR SIGNATURE ON THIS PETITION WOULD SIGNIFY YOUR APPROVAL FOR THE PROPOSED CITY DISPOSAL SERVICE.

The above signed petition is on file in the office of the City Recorder and may be reviewed upon request.

OPPOSITION TO MANDATORY SOLID WASTE PICKUP SERVICE

Harvey Rowlette, representing Delta City Residents that are opposed to the proposed mandatory solid waste pickup service, explained to council he did not have a petition to present to them but he did have a list of names and each person whose name appears on the list is opposed to the mandatory pickup service.

After further discussion of the issue a MOTION was made by Councilman Morrison that the City Council accept proposals for solid waste pickup service from anyone wishing to make a proposal from now until November 24th at 12:00 noon, proposals to be presented in writing to the city office, MOTION SECONDED by Councilman Bird and received the unanimous affirmative vote of all councilmen present.

Following the motion made by Councilman Morrison, Mr. Jim Robson presented Mayor Roper with a proposal from J and R Sanitation Service to be reviewed by Council. The proposal is on file in the office of the City Recorder and may be reviewed upon request.

Councilman Morrison suggested an ad by put in the local paper informing the public the City of Delta would be accepting proposals for the solid waste pickup service from now until noon on the 24th of November, Council agreed.

REQUEST FOR CONDITIONAL USE PERMIT FOR RESIDENTIAL CONSTRUCTION IN AN INDUSTRIAL ZONE BY TOM LOVELL, MARK JACOBS AND MIKE BARNEY.

Mayor Roper explained to council Mr. Lovell was not on the agenda but he had been allowed time to make his request for a Conditional Use Permit because of the time frame of the 235 HUD Funding his group was working with.


Mr. Lovell told Council his group had obtained enough 235 HUD Funding to build five (5) homes, this money is four percent (4%) interest money, but in order for them to keep the money they must have started construction on the homes by November 13th or they would have to forfeit the funding. The construction site for the proposed homes is in an industrial zone which requires a Conditional Use Permit before a building permit can be issued for any residential construction. Mr. Lovell then requested Council grant him a Conditionl Use Permit to build five (5) homes to be located at 350 South 400 West.

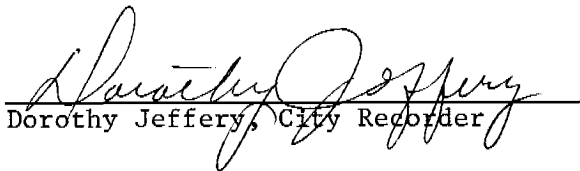
Following a general discussion of the request and the time frame they were facing it was the unanimous opinion of the council that Mr. Lovell and his group meet with the Planning/Zoning Commission on Wednesday November 12th (if they could get on the agenda) and present their proposal to them for their review, the council could then schedule a Special City Council meeting for the purpose of considering the Planning/Zoning Commission's recommendations in regards to the requested Conditional Use Permit.

A MOTION was made by Councilman Losee to schedule a Special Council Meeting to be held Thursday, November 13th at 9:00 A.M. to discuss any decisions and recommendations from the Planning/Zoning Commission, MOTION SECONDED by Councilman Morrison and received the unanimous affirmative vote of all councilmen present. The City Recorder was then instructed to schedule a Special City Council Meeting for Thursday, November 13th at 9:00 A.M. at the City Office, Meeting subject to cancellation.

Mayor Roper asked if there was any further questions or comments, there being none Councilman Morrison MOVED council go into a closed session, MOTION SECONDED by Councilman Losee and received the unanimous affirmative vote of all councilmen present.

Upon the completion of the closed session the council met once again in open meeting at which time Councilman Bennett MOVED the meeting be adjourned, SECONDED by Councilman Bird, meeting adjourned at 10:15 p.m.


Leland J. Roper, Mayor


Dorothy Jeffery, City Recorder